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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,509	09/30/2003	Tet Hin Yeap	86503-50	1659
28291 7590 07/02/2007 FETHERSTONHAUGH - SMART & BIGGAR 1000 DE LA GAUCHETIERE WEST SUITE 3300 MONTREAL, QC H3B 4W5 CANADA			EXAMINER ISMAIL, SHAWKI SAIF	
			ART UNIT 2155	PAPER NUMBER
			MAIL DATE 07/02/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/673,509	<b>Applicant(s)</b> YEAP ET AL.	
	<b>Examiner</b> Shawki S. Ismail	<b>Art Unit</b> 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 35-73 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 35-73 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                                                 |                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                            | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____                                                |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :1/20/2006;  
10/27/2005; 7/8/2005; 12/30/2003.

### **DETAILED ACTION**

1. This communication is responsive to the application filed on September 30, 2003.

Claims 1-34 were cancelled in the preliminary amendment received on February 22, 2006

Claims 35-73 were newly added in the preliminary amendment received on February 22, 2006

Claims 35-73 are pending

References in applicant's IDS form 1449 have been considered.

### **Claim Rejections - 35 USC §102**

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 35-73, are rejected under 35 U.S.C. 102(e) as being anticipated by **Albert et al.**, (referred to hereinafter as Albert) U.S. Patent application publication No. 20030056096A1.

4. As to claim 35, Albert teaches an authentication system, comprising:  
an access controller operable to communicate with a client via a first communication medium (refer to paragraph 0059); and

an authentication server operable to communicate with said client and said access controller via a second communication medium and further operable to deliver a first key to said client and a second key to said access controller, said second key being complementary to said first key such that when said client and said access controller are connected, communications therebetween can be encrypted using said keys; and wherein said access controller is operable to selectively pass instructions received from said client to a computer attached to said access controller if a verification protocol utilizing said keys is met (refer to paragraphs 0060-0061).

5. As to claim 36, Albert teaches the authentication system according to claim 35, wherein said authentication server is operable to generate said first key and said second key (refer to paragraphs 0060-0061).

6. As to claim 37, Albert teaches the authentication system according to claim 35, wherein said first key is a public encryption key and said second key is a private encryption key complementary to said public encryption key (refer to paragraphs 0060-0061).

7. As to claim 38, Albert teaches the authentication system according to claim 35, wherein each of said first communication medium and said second communication medium is selected from the group of networks consisting of the Internet, the PSTN, a local area network, and a wireless network (refer to paragraph 0059).

8. As to claim 39, Albert teaches the authentication system according to claim 35 wherein said computer is a telecommunications switch (refer to paragraph 0059).

9. As to claim 40, Albert teaches the authentication system according to claim 35, wherein said verification protocol includes a generation of a random number by said client, an encryption of said random number by said client using said first key, a delivery of said random number and said encrypted random number from said client to said access controller, a decryption of said encrypted random number using said second key by said access controller, a comparison of said random number and said decrypted number, and a decision to pass at least a portion of said instructions if said comparison finds a match of said random number with said decrypted number, and a decision not to pass said at least a portion of said instructions if no match is found (refer to paragraphs 0060-0061).

10. As to claim 44, Albert teaches the authentication system according to claim 35, wherein said instructions are encrypted by said client using said first key and said verification protocol is based on a successful decryption of said instructions by said access controller using said second key (refer to paragraphs 0060-0062).

11. As to claim 44, Albert teaches the authentication system according to claim 35, wherein said first key is delivered to said client only after said second key has been successfully delivered to said access controller (refer to paragraph 0059).

12. As to claim 44, Albert teaches the authentication system according to claim 35, wherein said first key is delivered to said client only if a user operating said client authenticates said user's identity with said server (refer to paragraph 0059).

13. As to claim 44, Albert teaches the authentication system according to claim 35 wherein said access controller contains a preset second key and said authentication

server maintains a record of said preset second key; said authentication server operable to deliver said first key and said second key only if said access controller successfully transmits said preset second key to said authentication server and said transmitted preset second key matches said authentication server's record thereof (refer to paragraphs 0060-0062).

14. Claims 45-73 do not teach or define any new limitations above claims 35-44, therefore, they are rejected for similar reasons.

15. Examiner Note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

When reviewing a reference the applicants should remember that not only the specific teachings of a reference but also reasonable inferences which the artisan would have logically drawn therefrom may be properly evaluated in formulating a rejection. In re Preda, 401 F. 2d 825, 159 USPQ 342 (CCPA 1968) and In re Shepard, 319 F. 2d 194, 138 USPQ 148 (CCPA 1963). Skill in the art is presumed. In re Sovish, 769 F. 2d 738, 226 USPQ 771 (Fed. Cir. 1985). Furthermore, artisans must be presumed to know something about the art apart from what the references disclose. In re Jac0by, 309 F.

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2d 513, 135 USPQ 317 (CCPA 1962). The conclusion of obviousness may be made from common knowledge and common sense of a person of ordinary skill in the art without any specific hint or suggestion in a particular reference. In re Bozek, 416 F.2d 1385, 163 USPQ 545 (CCPA 1969). Every reference relies to some extent on knowledge of persons skilled in the art to complement that is disclosed therein. In re Bode, 550 F. 2d 656, 193 USPQ 12 (CCPA 1977).

**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail  
Patent Examiner  
June 24, 2007



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SUPERVISORY PATENT EXAMINER